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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Adam J. Almen

Examiner:

Serial No.: 10/829,544

Group Art Unit: 3762

Filed: April 22, 2004

Docket No.: 2010.3-US-01

Title: APPARATUS AND METHOD FOR MONITORING HEART RATE VARIABILITY

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313-1450 on September 24, 2004

Mary Johnston  
Name

*Mary Johnston*  
Signature

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing, please find the following:

- ☒ Supplemental Information Disclosure Statement, Form 1449, copies of three reference(s)
- ☒ Transmittal Sheet
- ☒ Return postcard

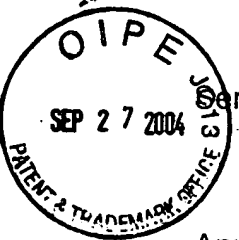
Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Altera Law Group, LLC  
Customer No. 22865

Date: 9/24/04 By:

*Jeffrey R. Stone*  
Jeffrey R. Stone  
Reg. No. 47,976  
JRS/mej



Serial No. 10/829,544

PATENT

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Applicant: Adam J. Almen Examiner:  
Serial No.: 10/829,544 Group Art Unit: 3762  
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Mary Johnston  
Name

Signature

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully submits the documents on the enclosed Form 1449 for the attention of the Examiner in the above-identified application. These documents were cited in an International Search Report in a corresponding PCT application. A copy of the International Search Report is enclosed.

The Supplemental Information Disclosure Statement submitted herewith is being filed after the period specified in 37 C.F.R. 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 C.F.R. 1.113, a Notice of Allowance under 37 C.F.R. 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by the following:

**Statement Under 37 C.F.R. 1.97(e)(1)**

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Supplemental Information Disclosure Statement.

**Statement Under 37 C.F.R. 1.97(e)(2)**

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

- ☐ The fee in the amount of \$            as set forth in 37 C.F.R. 1.17(p).

A copy of each document or other information listed on the enclosed Form 1449 is enclosed in accordance with 37 C.F.R. §1.98(a)(2).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103. In addition, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended, and reserve the right to establish otherwise under 37 C.F.R. §1.131 or others.

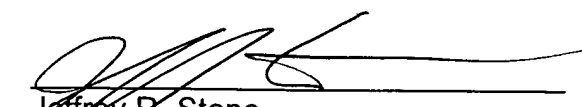
Consideration of the items listed is respectfully requested. According to M.P.E.P. §609, Applicants request that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Authorization is hereby given to charge any additional fees or credit any overpayments that may be deemed necessary to Deposit Account Number 50-1038.

Respectfully submitted,

Alterra Law Group, LLC  
Customer No. 22865

Date: 9/24/04

By:   
Jeffrey R. Stone  
Reg. No. 47,976  
JRS/mej

